IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 950 OF 1996

AND

FIRST APPEAL NO. 1112 OF 1996

Union of India ..Appellants

versus

Maharashtra State Electricity

Board, Bombay ..Respondents

AND

FIRST APPEAL NO. 1127 OF 1992

Maharashtra State Electricity

Board ..Appellants

versus

Union of India ..Respondents

Mr. A. N. Samant for the Union of India.

Mrs. A.R.S. Baxi for the Maharashtra State Electricity Board.

CORAM : D. G. DESHPANDE,J.

DATE : 12TH APRIL,2005

ORAL ORDER :

1. All these Appeals are between the Union of India and MSEB. Both the Counsels relied upon the

judgment of the Supreme Court reported in **AIR 2004 Supreme Court 2434 Mahanagar Telephone Nigam Ltd.** v**s. Chairman, Central Board, Direct Taxes and Anr.,** and urged that since this is a litigation between department and public undertaking and the matters should be referred to High Power Committee established by the Government. Both the Counsels contended that all the three matters be referred to two Officers, the names of which were suggested by both the Counsels. Mrs. Baxi suggested two names, they are (1) Mr. V. N. Patil, Dy. Executive Engineers, MSEB, Panvel and (2) Mr. M. S. Narale, Store Officer, M.S.E.B Kalyan. Mr. Samant has suggested one of Chief Commercial Manager, Central Railway Bombay.

2. In view of these submissions, all the three appeals and issues involved therein are submitted for decision to Mr. V. N. patil, Dy. Executive Engineer, M.S.E.B. Panvel and Chief Commercial Manager, Central Railway. They will decide the issues involved in the above three appeals within four months from the date of receipt of this order. Both the counsels therefore to intimate to these two officers about this order and further course of action will be decided by these two officers jointly within the aforesaid period. All the three appeals stands disposed of accordingly.

12.04.2005 (D.G. DESHPANDE, J.)